

The Sydney Morning Herald.

"IN MODERATION PLACING ALL MY GLORY, WHILE TORIES CALL ME WHIG—AND WHIGS A TORY."

TERMS OF SUBSCRIPTION.
Sydney, Fifteen Shillings per Quarter. Single Numbers, Sixpence. Country, Seventeen Shillings and Sixpence per Quarter. Ten per cent. discount for payment in advance, and ten per cent. added if accounts are allowed to run over six months.

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The "SYDNEY MORNING HERALD" is Published every Morning (Sundays excepted); and the Quarters end the 31st March, 30th June, 30th September, and 31st December; at which periods only can Subscribers decline by giving Notice and paying the amount due to the end of the Current Quarter. ADVERTISEMENTS must specify on the face of them the number of times they are intended to be inserted, or they will be continued till countermanded, and charged to the party. No Advertisements can be withdrawn after Eleven o'clock, a.m., but new ones will be received until Nine o'clock in the Evening. No verbal communications can be attended to, and all letters must be post-paid

signatures of "KEMP AND FAIRFAX," or they will not be taken in.

SPECIAL NOTICE.
THE Subscribers to this Paper, and the Public generally, are respectfully informed, that the following Rules are strictly adhered to:

In Sydney.—No new Subscribers will be received without one quarter being paid in advance, for which ten per cent. will be allowed; the subscription in advance being 13s. 6d. per quarter.

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In all cases, whether in Town or Country, the names of persons will be struck off the subscription list, when the arrears against them have stood over twelve months, and proceedings for recovering the amount due will be instituted.

Advertisements must be paid for previous to their insertion.

In all cases of Insolvency, when the party is a Subscriber to this Journal, the name is at once erased from the Subscriber's Book; and if we wish to take the paper in future he must comply with the rule affecting new Subscribers, and pay in advance.

PARRAMATTA STEAM PACKET.

M ESSRS. J. AND W. BYRNES respectfully inform the inhabitants of Parramatta, Sydney, Kissing Point, Bedlam Ferry, and their vicinities, that their first new fast steamer, the *N. A. T. I. V. E.*,

will commence plying between Parramatta and Kelly's Wharf, Sydney. THIS DAY, the 14th instant, and continue daily (Sundays excepted) at the following hours and rates—

From Parramatta, at 7 a.m., and at 12 noon, Sydney, at half-past 9 a.m., and 5 p.m. Saloon. Steerage. Parramatta and Sydney—1s. 6d. 1s. 10d. Newington and Sydney—1s. 3d. 9d. Kissing Point, ditto—1s. 9d. Small's Wharf, ditto—1s. 9d. Bedlam Ferry and ditto—9d. 6d.

As this packet has been fitted up with regard to speed and general accommodation to the public, Messrs. J. and W. B. confidently anticipate support, and should any cause of complaint, of incivility, neglect, or otherwise arise, they would be thankful by its being immediately lodged with them.

Refreshments at moderate rates on board.

5032

IRON STEAMER TO THE HUNTER.

REDUCED FARES.

N O T I C E.—The *THISTLE*, a steamship, W. Mulhall, Commander, will resume her trials to the Hunter, leaving Sydney for Morpeth on Thursday next, the 17th instant, at ten o'clock p.m.

FARES. Cabin. Steerage.

To Newcastle—6s. 3s. 0

Bedlam Ferry—0s. 3s. 0

Morpeth—6s. 0 4d.

Freight, dead weight, per ton, 8s. 0

Ditto measurement, ditto, 12s. 6d.

FRANCIS CLARKE, Manager.

Hunter River Steam Navigation Company, Sydney, 11th October. 5000

WOLLONGONG PACKET.

THE *GEORGIANA* will leave the Commercial Wharf for the above port this Day, Monday, the 14th instant, at 8 a.m. For freight or passage apply to the Captain on board, or to J. MEIKLEJOHN.

FOR MELBOURNE.

TO SAIL ON WEDNESDAY NEXT.

THE *CHRISTINA* is now ready to take in cargo for the above port, and owing to her light draft of water discharges her cargo at the township. For freight or passage apply to the master on board, at the Flour Company's Wharf, or at the office of

A. B. SMITH AND CO., Sussex-street, October 11. 5003

FOR ADELAIDE DIRECT.

THE *PACKET VESSEL EMMA*, H. T. Fox, commander, hourly expected, will have quick despatch. For freight or passage apply to

THOMAS WOOLLEY, or to JOHN ALGER.

South Australian Packet Office, 468, George-street. 4760

FOR PORT NICHOLSON DIRECT.

THE *PACKET VESSEL ARIE*, Thomas Preston, commander, will have quick despatch; for freight or passage (having excellent accommodations) apply at Fotheringham's Wharf; or to

J. B. METCALFE.

FOR LONDON DIRECT.

THE well-known fast-steamship *BRIG*, S. T. *GEORGE*, 605 tons, James Norie, commander, has commenced loading, and having her deck eight engaged, will meet with despatch. For freight or passage apply to

GRIFFITHS, GORE, AND CO., Bent-street.

September 25. 4763

FOR LONDON,
WILL SAIL ON THE 20TH INSTANT,

THE Ship *GREENLAW*, A. 430 tons, Captain Edgar, has only one stern poop cabin disengaged. Apply to

GRIFFITHS, GORE, AND CO., Bent-street.

October 8. 4835

FOR LONDON DIRECT.

THE fine fast-sailing Ship *Pendleton Bonaparte*, A. 430 tons, Captain Edgar, has only one stern poop cabin disengaged. Apply to

J. F. MITCHELL AND CO.; or to

J. B. METCALFE.

October 9. 4815

BANK OF AUSTRALASIA.

INCORPORATED BY ROYAL CHARTER.

NOTICE is hereby given, that Bills on the Court of Directors, London, on thirty days' sight, will be issued at 14 per cent. discount.

CHARLES FALCONER, Manager.

Sydney, October 10. 4937

BANK OF AUSTRALIA.

NOTICE is hereby given, that Bills on the Directors of the Bank, in London, will be issued at 14 per cent. discount.

C. ROBERTSON, Pro Manager.

Sydney, October 10. 4931

BANK OF NEW SOUTH WALES.

THE Proprietors of Stock in this Bank are requested to meet at the Banking-house, George-street, on Saturday, the 26th instant, at twelve o'clock, to consider the propriety of returning to the Shareholders seventeen per cent. of the Capital Stock of the Bank, and of writing off the Capital the further sum of thirteen per cent., the estimated loss sustained by the Bank.

By order of the Board of Directors,

JOHN BLACK, Cashier.

October 8. 4932

SYDNEY

ALLIANCE ASSURANCE COMPANY

NOTICE is hereby given, that Bills on the Directors of the Company will be held at the Office, in Hunter-street, on Wednesday, the 16th proximo, at one o'clock precisely.

By order of the Board of Directors.

JAMES BUCHANAN, Secretary.

September 28. 4936

PASTORAL ASSOCIATION of New South Wales.

COMMITTEE.

CHAIRMAN—BENJAMIN BOYD, Esq.

M. C. O'CONNELL, Esq.

W. C. WENTWORTH, Esq., M.C.

W. DUMARESQ, Esq., M.C.

THOMAS WALKER, Esq., M.C.

GEORGE M'LEAY, Esq.

JOHN DOBIE, Esq., J.P.

R. GRAHAM, Esq.

DR. NICHOLSON, M.C.

FRANCIS STAFFE, Esq.

ROBERT GORE, Esq.

W. FOSTER, Esq., M.C.

J. PHELPS ROBINSON, Esq., M.C.

CHARLES COPPER, Esq., M.C.

O. BLOXOME, Esq.

J. BLAXLAND, Esq., M.C.

H. H. MACARTHUR, Esq., M.C.

R. WINDEYER, Esq., M.C.

ROBERT JOHNSTONE, Esq.

ROBERT LOWE, Esq., M.C.

F. LORD, Esq., M.C.

H. B. SUTTOR, Esq., M.C.

D'ARCY WENTWORTH, Esq., M.C.

HENRY O'BRIEN, Esq., J.P.

T. A. MURRAY, Esq., M.C.

WILLIAM LAWSON, Esq., M.C.

JOHN PANTON, Esq., M.C.

WILLIAM BRADLEY, Esq., M.C.

WILLIAM BOWMAN, Esq., M.C.

WILLIAM M'LEAY, Esq.

CHARLES D. LOGAN, Secretary.

Sydney, April 22. 5075

Commissioner of

CHANCE, BROTHERS, AND CO.'S SURGEON-DENTIST

MRS. BELISARIO begs to acquaint

his patients and the public that he

continues to supply Natural Artificial,

and Mineral Teeth, on the most improved principle, and considerably under the usual charges for the same articles.

Children's gums lanced, and every disease

appertaining to Dental Surgery scientifically

failed.

Malformations of children's mouths eradicated, in cases where the teeth project too far, or are crooked, with extracting the permanent teeth. Losses of teeth, &c., &c.

Artificial palates, on a new principle. Scrofulous gums cured. Teeth cleaned of tartar.

Every article connected with the trade.

Allopathic and other remedies.

Teeth extracted, 2s. 6d. each. Instantaneous relief for the toothache, sold in bottles from 6d. to 6s. and upwards.

Mr. E.'s specimens of artificial teeth on view daily.

Old plates, or misfits of artificial teeth remodeled, and made to fit the mouth with comfort.

Ladies and families attended at their private residences.

At home from Nine, A.M., till Six, P.M.

Observe—two doors from Mr. S. Lyons' Auction Mart.

July 25. 2359

LIST OF CHARGES.

Extraction—5s. 0

SHIPPING INTELLIGENCE.

ARRIVALS.

October 13.—*Garland Grove*, ship, 483 tons, Captain Robson, from the Downs 1st June, Falmouth 8th June, and St. Jago 3rd July, with a general cargo. Passengers.—The Hon. Mr. Stanhope, Mrs. Stanhope, five children, and Miss Minchin, Mr. Pelham Dutton, Mrs. Dutton and two children, Mr. Sempill, junior, Mr. Yates, Mr. and Mrs. Stevens, Mr. J. Levy, Mr. Prince, Mr. Palmer, Mr. Sisman, Master and Miss Bennett.

October 13.—*Governor Phillip*, brig, 188 tons, Captain Boyle, from Norfolk Island the 5th instant, with sundries. Passengers.—Lord Viscount Glenworth, Viscountess Glenworth, two children, and two servants, Mrs. Horsey, Mr. Dwyer, Judge of the Commission, Mr. Fisher, Commissioner Prosecutor, Lieut. Elliott, 50th Regiment, a military guard, and ten in the steerage.

DEPARTURES.

October 12.—*Pictor*, schooner, Captain Kemp, &c. Passengers.—Mr. William Hudson, and Mr. William Prentiss.

COASTERS INWARDS.

October 10.—*Atom*, 18, Croad, from Morphett with 900 bushels maize; *Suspense*, 28, Milne, from the Lochend Mines, with 33 tons coal; *Currency Lad*, 19, Stevenson, from Brisbane Water, with 7000 feet timber, 5000 shingles; *Crickle Player*, 12, Loutit, from the Hawkesbury, with 550 bushels maize, 35 bushels bran, 5000 shingles, &c.

October 11.—*Tamer*, steamer, 130 tons, Captain Allen, from Morphett, with 16 casks tallow, 30 trunks, 800 bushels maize, 100 bags corn, 150 bushels bran, 6 barrels, 111 bags corn, 25 bags bran, 24 trusses hay, &c.; *George*, 35, James, from the Bellinger, with 13,000 feet cedar; *Alexander*, 10, Sellers, from the Hawkesbury, with 100 bushels shells; *Louise*, 15, Cox, from Brisbane Water, with 6000 feet cedar, 10,000 shingles; *Charles Webb*, 18, Robinson, with 10,000 feet cedar; *Rover*, 15, Shaw, from the Hawkesbury, with 380 bushels maize, 10 bushels wheat.

October 12.—*Rose*, steamer, 172, Pattison, from Morphett, with 23 casks tallow, 310 bushels wheat, 6 bundles sheepskins, 28 trusses hay, 111 bags corn; *Gloriana*, 25, Thompson, from Wollongong, with 100 bushels maize, 1 ton potatoes, &c.; *Pedlar*, 18, Lesslie, from Wollongong, with 100 bags potatoes, &c.; *Defiance*, 16, Jernard, from the Hawkesbury, with 600 bushels maize.

COASTERS OUTWARDS.

October 10.—*Elizabeth*, 15, Watts, for Morphett, in ballast; *Suspense*, 28, Milne, for the Lochend Mines, in ballast; *Currency Lad*, 19, Stevenson, for Brisbane Water, with sundries; *Mary Jane*, 32, Knight, for Newcastle, with sundries.

October 11.—*Alexander*, 10, Sellers, for the Hawkesbury, in ballast; *Suspense*, 28, Milne, for Morphett, with sundries; *Louise*, 15, Cox, for Brisbane Water, in ballast; *Suspense*, steamer, 119, Cape, for Morior Bay, with sundries; *Tamer*, steamer, 130, Allen, for Morphett, with sundries.

October 12.—*Rose*, steamer, 172, Pattison, for Morphett, with sundries; *Mary Ann*, 34, Williams, for Port Macquarie, with sundries; *James and Amelia*, 35, Doyle, for Newcastle, in ballast; *Ruth*, 12, Brixham, for Jersey Bay, with sundries.

CLEARANCE.—October 12.—*Barossa*, barque, Captain Austin, for Lima, in ballast; Passenger—Mr. Paine.

ARRIVALS DURING LAST WEEK.—October 7. *Ariel*, schooner, Preston, from Port Nicholson, 17th September. 8. *Julia*, brig, Robinson, from Newcastle,—put in for orders.

DEPARTURES DURING LAST WEEK.—Oct. 6. *Terror*, schooner, Dumaresq, for Auckland Head; *Waterby*, schooner, Hayle, for Hobart Town. 8. *Shanwick*, steamer, Tilbury, for Port Phillip; *Eagle*, schooner, Hodges, for Circular Head; *Waterby*, schooner, Hayle, for Hobart Town. 10. *Julia*, brig, Robinson, for Tahiti; *Mad of Athens*, schooner, Hews, for Hongkong; *Sovereign*, China, schooner, Tinley, for Port Nicholson.

THIS "TWISTLE."—An error occurred in Saturday's *Herold*, in the advertisement headed "Iron Steamers to the Hunter," whereby it might be inferred that a reduction had taken place in the fares both by the *Rose* and *Twistle*, whereas it was only intended to refer to the latter, and should have been "Iron Steamer to the Hunter."

"LUCY ANN."—Mr. Samuel Lyons sells this day, at Jones's Wharf, at eleven o'clock, the whaling barque *Lucy Ann*, and all her whaling gear, sundry surplus stores, and a quantity of water and oil casks; after which a third class sailing boat.—Communicated.

ENGLISH SHIPPING.—The *Stourbridge* arrived at Gravesend on the 5th June. The *Clarendon* left Leith for Sydney direct on the 1st June. The *Duke of Roxburg* left the port of Leith, arriving at the port of Sydney on the 5th June. On the 14th June, spoke the *Coriolis*, off Scilly, from Adelaid bound to London; this vessel had made a very quick passage, having proceeded by the route of Cape Lewin. Saw the schooner *Marta* and *Elizabeth*, on the 2nd instant, off Cape Liptrap, from Sydney to Port Phillip. On the 3rd instant, saw a black brig to the westward of Cape Howe, steering for Launceston, and a Wednesday last, saw a large brigantine off Tasmania. Spoke the barque *Tower*, on the 11th instant, from London.

The *Garland Grove* has brought a very large mail, consisting of upwards of 13,000 newspapers and 4000 letters. The passage has been protracted owing to light winds; it has put into St. Jago, for the purpose of waiting for the wind, and was delayed two days. On the 14th June, spoke the *Coriolis*, off Scilly, from Adelaid bound to London; this vessel had made a very quick passage, having proceeded by the route of Cape Lewin. Saw the schooner *Marta* and *Elizabeth*, on the 2nd instant, off Cape Liptrap, from Sydney to Port Phillip. On the 3rd instant, saw a black brig to the westward of Cape Howe, steering for Launceston, and a Wednesday last, saw a large brigantine off Tasmania. Spoke the barque *Tower*, on the 11th instant, from London.

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DIARY.

MEMORANDA FOR THIS DAY.

October,	sun.	rain	sets	high water
14 MONDAY	[6 39]	[6 21]	[9 42]	[10 6]
First Quarter, Oct. 19, 20 m.	past 1	morning		

TO CORRESPONDENTS.

We cannot insert puffs respecting ploughs made by particular tradesmen.

BANK OF AUSTRALASIA.—This bank will be closed for the Annual Balance This Day and To-morrow.

October 14.

The *Sydney Morning Herald*.

MONDAY, OCTOBER 14, 1844.

* Bound to no master, of no set am I.*

NEWS FROM ENGLAND.

The *Garland Grove* arrived yesterday, after a very protracted passage, bringing English news to the 8th June, one day later than had previously come to hand via India and the Mauritius. Mr. Justice DICKINSON is a passenger by this vessel.

The principal topics in the papers before us are the sayings and doings of the EMPEROR OF RUSSIA and the KING OF SAXONY, who were of course being feted by the nobility, and were inspecting the lions. There was a very grand review on the 5th June.

The QUEEN and the Royal Family were well. The QUEEN DOWAGER was on a visit to her relations on the continent.

The following is from the *Colonial Gazette* of 8th June:—

The word "schools" must here be taken to signify school-houses; for the original rules of Lord STANLEY's system rigorously excluded the clergy from the schools, though it gave them access, on "one day at least in each week," to the school-houses, and also, "should the parents of any of the children desire it, either before or after the ordinary school business, (as the managers might determine), on other days of the week."

The *Austral-Irish National System* of Education, then, as carried by the glorious majority of ONE, retains both the permissive and the prohibitory peculiarities of its archetype—with this only difference, that while the permissive is not less circumscribed, the prohibitory is much more sweeping. We of course take it for granted, that the Model system referred to by Mr. WENTWORTH's resolutions, is one exhibited in the Report of our Select Committee. The permissive regulations, as there seen, go the length of providing, that "such extracts from Scripture as are prepared under the sanction of the Board may [or may not] be used, and are earnestly recommended [but not enjoined] by the Board to be used, during those hours allotted to the ordinary school business." Such legislation as this is a mere rope of sand. It binds nobody—it seizes nothing. But this is the legislation under which the future schools of New South Wales are to be conducted, and upon which she is to depend for the religious training of her sons and her daughters! They "may" be taught to read extracts from the Holy Scriptures; or they may not. They must take their chance!

But while the copy is as niggardly as the original, it carries its prohibitions still farther. The original banishes the Bible, but, under limitations, admits the religious instructions of the clergy; the copy banishes Bible and clergy both.

The sum and substance of the Austral-Irish System is, therefore, as regards the immortal interests of children, that during school-hours there is to be no Bible; that neither during school-hours nor, before, nor after, are ministers of religion, as such, to cross the threshold of the school-house; and that as the only equivalent for the loss of these two sources of religious knowledge, the children will have a chance, but no certainty, of reading extracts from the Word of truth.

That this system will not prosper, will not work, we are quite convinced. We therefore, with all deference, to remind the several denominations who have opposed its introduction, and who will feel bound to withhold from it their countenance and support, that they have incurred a fresh responsibility to their God and country, a redoubled obligation to exert their utmost energies for the promotion of the great work of sound religious education. And if the recent agitations on this momentous subject have but the effect, as in England and Ireland, of exciting the zeal of good men to more earnest and systematic efforts for the welfare of the rising generation, our Select Committee, though frustrated in its own designs, will not have laboured in vain, nor spent its strength for naught.

ADJOURNMENT OF THE COUNCIL.

MR. WINDREYER's motion for the adjournment of the Legislative Council has taken the country by surprise. The reasons which induced the honorable member to take the step will be found in the report in our fourth page, and certainly afford prima facie evidence of the necessity of the adjournment. All the measures are of importance, and ought to be settled as early as possible, except the General Grievance Committee's Report. The appointment of this Committee we always looked upon as a blunder. There are lots of grievances which require alleviation, but the Crown Land Grievance is the one to the consideration of which the Council and the colony should devote all their attention: it should be placed prominently and distinctly before the SECRETARY OF STATE, as the great grievance of New South Wales, and the effects of the representations made concerning it should not be weakened, as they would be by drawing his attention to other matters, which, however important they may be, are subordinate when compared with the monster grievance. THE GOVERNOR, or the COLONIAL SECRETARY, has signified that it is intended to enforce the regulation of April last: and we believe some notices have already been served upon parties, demanding additional license fees. This must be resisted in every constitutional manner; and we believe that this is the real reason why the Council has adjourned. Had they sat through next week, they must have passed the Appropriation Bill; and had they done that, we have little doubt that HIS EXCELLENCE's assent to it would have been accompanied with an intimation that the members might return until next session, and the Government would thus have been upwards of eight months without any check upon it, as there would have been no necessity to call the Council together again before June next. We do not attribute the postponement of the Appropriation Bill to any desire or wish to impede the public business by stopping the supplies, but to the fact that if the Bill had been passed, the House would certainly have been immediately prorogued. On the whole, therefore, we are inclined to think that the adjournment was prudent, and called for in self-defence. There is as usual a rumour of an intended dissolution, but we do not believe it: we do not think that the GOVERNOR would risk an appeal to the country.

The following is the business now on the paper of the House.

WEDNESDAY, NOVEMBER 27.

NOTICES OF MOTION.

MR. WINDREYER to move, that there be a call of the House, on Monday, the 2nd of December.

THE COLONIAL SECRETARY to move, That the 2nd of December be fixed for the passing of the Quay Wharfage Bill.

MR. ROBINSON to move, That it is the opinion of this Council, that the whole of the Revenue derived from the District of Port Phillip, should be specially appropriated for the service thereof.

MR. WINDREYER on Mr. Robinson's motion being made, to move as an amendment, that instead of the Clergy and Pastors of the several denominations being allowed to impart religious instruction in the schools, the children be allowed to be absent from school one day in every week, exclusive of Sunday, for the purpose of receiving such instruction elsewhere.

MR. ROBINSON to move, That the Petitions from the Corporation of Melbourne, presented on the 17th September, respecting the Financial separation of the Port Phillip District; and on the 10th September, respecting the Melbourne Town Fund, be taken into consideration.

6. MR. COWLER to move, That the Address to Her Majesty the Queen, on Sir George Gipps' Despatches, Nos. 175 & 176, relative to compensation for office-holders, and to the Police and Gas Expenditure, annexed to the Report from the Select Committee, appointed on the 6th September last, to prepare the same, be adopted by this Council.

7. MR. W. C. WENTWORTH to move, That the Address to Her Majesty the Queen, on the Governor's Message of 3rd September last, on the Judicial Expenditure for 1845, annexed to the Report from the Select Committee, appointed on the 12th of that month to frame the same, be adopted by this Council.

ORDERS OF THE DAY.

1. Consideration of Governor's Message on section 70 of Sydney Incorporation Act suspension Bill.

2. Estimates for the year 1845; to be further considered in Committee.

3. Appropriation Bill; second reading.

4. General Police Act Amendment Bill; second reading.

5. Auctioneers' Licensing Bill; second reading.

6. Melbourne Incorporation Act Amendment Bill; to be further considered in Committee.

7. Publicans' Licensing Act Amendment Bill; to be further considered in Committee.

8. Sydney Incorporation Act Amendment Bill; to be further considered in Committee.

9. Appropriation Act; second reading.

10. Customs' Bill; to be further considered in Committee.

11. Interest Bill; second reading.

DOMESTIC INTELLIGENCE.

INSOLVENCY PROCEEDINGS.

SATURDAY.

BUSINESS OF THE COUNCIL.

PROOF OF CLAIMS.

In the estate of Joseph Campbell, a single master, 31, Aguinaldo, El 62, on; John Marsh, 26, S. P. Jones, £37. 6s. 6d.; N. Robb, £4. 18s. 3d.; E. Flood, £27. 3s. 6d. The meeting allowed the insolvent to retain his furniture, wearing apparel, and tools.

In the estate of H. J. Rate, a special meeting.

A special meeting was held in the estate of John Stuart Mein, but no claims were proved.

MEETINGS FOR TO-DAY.

Kenneth Munro, a special meeting, at half-past ten o'clock.

John Jones, a third meeting, at eleven.

MEETINGS FOR TOMORROW.

The estate of John Marshall, deceased, a third meeting, at half-past ten o'clock.

Cyrus Matthew Doyle, a second meeting, at eleven.

Richard Jones, a special meeting, at half-past one.

Stewart Ryrie, a special meeting, at half-past one.

Joshua John Moore, a special meeting, at two.

MEETINGS OF CREDITORS.

The following is a list of all the meetings of creditors fixed to take place from this date, inclusive, extracted from the Minute Book of the Chief Clerk in the Office of the Chief Commissioner of Insolvent Estates:—

Note.—The numerals 1, 2, 3, denote first, second, and third meetings; s., single, sp., special, and ad., adjourned meetings.

1. Petitioners 25,000

Councillors 12

25,012

In favour of it—

Petitioners 4,000

LEGISLATIVE COUNCIL.

FRIDAY'S DEBATE, ON THE MOTION FOR THE ADJOURNMENT OF THE HOUSE TO THE 27TH NOVEMBER.

MR. WINDEYER, in pursuance of notice, moved "that the House, at its rising, adjourn to Wednesday, 27th November." The reasons which induced him to bring forward this motion would be obvious, said he, to all those who had taken any real share in the business of the session. It had been intimated to the Council, the other night, that the Appropriation Bill might now speedily be passed through its various stages, and that the House would accordingly break up. No doubt it was very desirable, that the members should be relieved from further attendance for this session; but there was a very considerable quantity of business yet to be disposed of, in which some progress had been made; and if the Council broke up at the present stage of its proceedings, the principal labours of the session would have been averted through the way. The public would derive no benefit from the enquiry of the General Grievance Committee, which had occupied so much time and labour, nothing having resulted from the enquiries of the Public Works Committee; they would be deprived for another year of any amendment in the Insolvent Laws, or in the Acts regulating Courts of Requests. The measures which could be proposed in consequence of the enquiries made by the Committees of the House, each required some time for preparation; once put into operation, they were to be brought under the consideration of the House, themselves would probably not occupy many evenings. Two or three weeks would be amply sufficient to dispose of the whole. It would be utterly impossible, however, that these measures should be prepared and brought under the consideration of the House, if they were to make such speedy progress through the Appropriation Bill, and having passed it, to propose the same for the dissolution which the Colonial Secretary had intimated the other night, they might expect. The labours of the General Grievance Committee during the past three months ought surely not to be cast aside; the honorable and learned Chairman of that Committee had for some time been engaged in preparing the Report of the Committee; but the questions involved were so numerous, and of such vast importance, that it was impossible that the Report could be hastily completed, or the Public Works Committee had been taken by surprise, so as to give evidence which had come upon them in the Report, which in the end they would be able to agree upon; would be a very delicate one, they had been obliged to send to Maitland to enquire into the nature of certain transactions, of which information had been given them; and when their labours were completed, and they had agreed to their Report, the evidence would be of a nature that he did not imagine that the House would be prudent in having it printed. Again, the amendment of the Insolvent Law was of itself an Herculean task. The suggestions which had been sent in by the Law Society alone would occupy a fortnight to go through; he did not know any honorable member who, while the House was meeting from day to day, could even spare a week to the work; and if they were to have a fortnight or three weeks, as intimated by the Colonial Secretary the other night, it would be impossible to do anything at all with the Insolvent Law this year. He would call the attention of the honorable members to the fact, that the very Bill which the Colonial Secretary had brought forward this day—"the Wharfage Bill"—would require much consideration. They had been told that if such a Bill were passed, as had been recommended by a Select Committee of House, private fortunes would be ruined; and if the effect of there would be petition after petition, against the Bill; that in all probability counsel must be heard against it, that it would be opposed at every stage. He would state himself that he should have opposed the measure, simply because he knew nothing about it. He had not had time to look at the papers,—and he thought it better to vote against a good measure, than to pass it, because, through the nature of its nature. It would occupy at least a fortnight to settle the Insolvent Bill after all the preliminaries had been disposed of; and although he had made a sort of promise to some honorable members, who had requested him to turn his attention to this matter, that he would do so, he had added a condition.—"Yes; that is, if we get an adjournment." He had intended to attend to that, and to his duties in the House, and, in accordance with the Insolvent Bill, it was with the Committee of the House that he had been kept. He had hoped that the Council would not assent to the motion of the honorable and learned member; that honorable member had expressed fears that some evils might arise from government majorities; but past experience would not warrant him in believing that the Government would possess in this House such over-powering majorities as the honorable and learned member alluded to. He should indeed be sorry to hear that the Government had been rejected; for various reasons, he now thought that the Council had been somewhat right in that opinion. He had before repeated, he could not like that the House should separate until something definite was known. A further reason which he would urge, was the evident lassitude which had come over honorable members, after two or three months of constant attention to the business of the House: on two evenings within a week, it had been found impossible to get together a sufficient number of members to vote in the House; and when a sufficient number were got together, it was found impossible to keep them together for more than two or three hours. The House of Commons, in order to avoid this consequence of protracted sittings, had its regular Easter recess in the middle of its session; and he could not see why this House should not have holidays also. If the could not have Easter holidays, they might a week or two since have had them. Mr. Sydney had holidays; and if they were too short for either Michaelmas or WhitSunday, he could not see any reason why they should not have their sheep-shearing holidays. He had counted the number of members from the country who in the course of a week or two fortnight would be compelled to leave for the country; and he found that, with those already away, there would be found, to the Government, the infamy of the Tariff Bill of last year; and until something definite was settled with respect to that important matter he should be loath that the House should separate. He should not himself be very sorry to hear that the Governor's recommendation had been acceded to; for various reasons, he now thought that the Council had been somewhat right in that opinion. The ATTORNEY-GENERAL continued: It followed from the nature of the privileges of Parliament, that any such lapse of time as that now proposed, between the sitting of the House of Commons, must be a protraction. Indeed the House of Commons could not be protracted even for a longer space of time than forty days, or the members would lose the privilege of freedom from imprisonment for debt, and this was a most important privilege, insomuch as the Parliament of Great Britain had not yet made such a rapid strides as this Council, had done, in the direction of providing for debt. To show that the Council had not the power to adjourn as now proposed, he would call the attention of honorable members to the 20th of the 5th and 6th Victoria, cap. 76, which was as follows:—"And be it enacted, that it shall be lawful for the Governor of the said colony for the time-being to fix such place or places within any part of the said colony, and such times for holding the first and every subsequent session of the House of Commons, as the Governor might think fit, such times and places to be affixed, where changed or varied as the Governor may judge advisable and most consistent with general convenience and the public welfare, giving sufficient notice thereof, and also to prorogue the said Council from time to time, and dissolve the same, by Proclamation or otherwise, whenever he shall deem it expedient." It was clear from this, that the Governor alone, and not the House, possessed the power now claimed for the House; so long as a lapse between the sittings of the House could not be had, it was evident that the Government had acted wisely in leaving the introduction of measures to those who were supposed to be the best acquainted with the wishes, and more especially most in the confidence of the people. (Hear, hear, hear.) It is quite evident, that the introduction of a honorable and learned member, that the result of this delay might be to enable the Appropriation Bill to advance stage by stage, with some popular measure for redress of grievances alleged to exist, which measure the Government might feel bound to oppose. He disclaimed any intention of casting any imputation upon the motives of honorable members who supported this proposition; but he thought that the action of the Government, in allowing such a protraction, would be calculated to lead to the greatest possible inconvenience, and he had no sufficient reason to induce him to consent to risk that inconvenience.

Mr. WINDEYER replied, addressing himself in the first place to the arguments of the Attorney-General as to adjournment and prorogation. The difference between them was, that during an adjournment the business of committees might be gone on with; but after prorogation all measures, however advanced, must be begun again. The 20th of the 5th and 6th Victoria, cap. 76, and a reward of £20 each was advertised in the *Government Gazette* for their capture. Mr. Henry Bayly also gave the two policemen £5 for their meritorious exertions and gallant conduct.

Corporal Riley, and trooper Ormiston, with one of the before-mentioned blacks, were again despatched by the Mudgee Bench in pursuit of the robbers. The police also made a most commendable effort, having tracked the bushrangers upwards of forty miles, before coming upon them; and I should recommend that an aborigine or two be attached to every Bench of Magistrates in the colony. It was in this instance entirely owing to the fortunate circumstances of the blacks accompanying Mr. Bayly's teams, that the police succeeded in recovering a portion of the stolen property, and in shooting down the two principal perpetrators of so daring and wanton a robbery.

I cannot help noticing the utter inadequacy of the policeman's single-barrelled carbine, when opposed to bushrangers with double-barrelled fowling-pieces; why not give the policeman a double-barrelled gun? A good fowling-piece will throw ball almost as true as a rifle, and quite enough for men who are likely to use it on horseback. These men are the bushrangers, who are the most hardened and daring of all the criminal classes; and I should like to see the police armed with such a weapon.

With reference to precedent, he quoted an instance in which the House of Commons, in order that the business in hand might not be interrupted, adjourned the House from the 2nd to the 26th of January, 1821, and a reward of £20 each was offered for the apprehension of the two robbers. The police also recovered Lyons's, (the postman's) horse, a double-barrelled gun, three pistols, two saddles and bridles, and a hony pony, owner unknown. The conduct of the two police was beyond all praise, both men exhibiting those traits of courage, patience, and decision, which are the highest characteristics of a policeman. The police, indeed, are the best police in the colony; and I should like to see the police armed with such a weapon.

Mr. WINDEYER, addressing himself to the arguments of the Attorney-General as to adjournment and prorogation, said, that the Government had been anxious to press to a completion the business of the public service, which the Government did undertake itself. He would allude only to the Insolvent Act. From whom but the Government he would ask, ought such a measure to proceed? Why had not the Government introduced a comprehensive measure, suited to the wants of the community? Why had not the Government initiated such a measure, and conducted it to a successful issue? What right had such a measure to be introduced, but that the popular members of this House, to be born, through all its stages upon their shoulders, unaided by the Government? But it had been the policy of the Government, ever since the institution of this House, to cast as much of the responsibility of the labour, which properly belonged to itself, upon the members of this House; and although it was true that the officers of Government had been anxious to press to a completion the business of the public service, which the Government did undertake itself.

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